

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... JUN 16 1975
 Returned to applicant for correction..... JUN 26 1975
 Corrected application filed..... Map filed..... JUL 18 1975 under 29446

The applicant Rainbow Milling Co. c/o Bruce Trepl
 of Goldfield
 Street and No. or P.O. Box No. City or Town
Nev. 89013, hereby make application for permission to change the
 State and Zip Code No.
Place of use
 of water heretofore appropriated under..... 28905

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is..... Spring No. 2
Name of stream, lake or other source.
2. The amount of water to be changed..... 0.12 c.f.s.
Second feet, acre feet.
3. The water to be used for..... Domestic & Milling
If for stock state number and kind of animals.
4. The water heretofore used for..... Same
If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 32 T6S R40E MDB&M or at a
point from which the South $\frac{1}{4}$ Cor. of Sec 34 bears S 73° 22' 09" E
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
10261.20 ft.
stated.

6. The existing point of diversion is located within.....

If point of diversion is not changed, do not answer.

7. Proposed place of use.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use..... SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T7S, R40E MDB&M
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from..... Jan. 1st to..... Dec. 31st..... of each year.
Day and Month Day and Month

10. Use has been from..... " to..... "..... of each year.
Day and Month Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) clean out spring & pipe water to
State manner in which water is to be diverted, whether by dam or other works,
place of use. 13,771 ft - 4" pipe -- 22,633 6" pipe
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$30,000.....
13. Estimated time required to construct works.....5 yrs.....
14. Estimated time required to complete the application of water to beneficial use.....5 yrs.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water to be left for use of cattle & wildlife. Operation by
placer mining - by a moving dredge - used water to be ponded
behind dredge and reused as operation moves upstream.

Compared.....1k/ga.....1k/bs.....
Pro.9/18/75 by Darlene Haymes
Overruled 12/9/75 # 2101

Applicant.....Rainbow Milling Co.....
By.....s/ J. V. Caselli agent.....
P. O. Box 201, Goldfield, Nevada

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Spring No. 2 as heretofore granted under Permit 28905 is issued subject to the terms and conditions imposed in said Permit 28905 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The total combined duty of water under this permit and Permits 29446 and 29448 shall not exceed 4.2 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.12.....cubic feet per second but not to exceed
4.2 million gallons annually.

Actual construction work shall begin on or before.....July 28, 1976

Proof of commencement of work shall be filed before.....August 28, 1976

Work must be prosecuted with reasonable diligence and be completed on or before.....July 28, 1977

Proof of completion of work shall be filed before.....August 28, 1977

Application of water to beneficial use shall be made on or before.....July 28, 1980

Proof of the application of water to beneficial use shall be filed on or before.....August 28, 1980

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....JUL 13 1977.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No.....Issued.....
Recorded.....Bk.....Page.....

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 28th day of January

A.D. 1976

OCT 12 1978

BECAUSE OF FAILURE

State Engineer

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

(1)

Proposed place of Sec

10	acres in the $\frac{1}{2}$ $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ of Sec 23	T 6 S, R 40 E,
40	" " SW $\frac{1}{2}$ SE $\frac{1}{2}$	" "
40	" " SE $\frac{1}{2}$ SE $\frac{1}{2}$	" "
40	" " SW $\frac{1}{2}$ SW $\frac{1}{2}$	" 34 "
10	" " $\frac{1}{2}$ $\frac{1}{2}$ NE $\frac{1}{2}$ NW $\frac{1}{2}$ Sec 5	T 7 S, R 40 E
20	" " $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$	" "
5	" " E $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$	" "
10	" " NE $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$	" "
10	" " $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$	" "
20	" " $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$	" "
40	" " NW $\frac{1}{2}$ NW $\frac{1}{2}$ Sec 4	T 7 S R 40 E
40	" " NE $\frac{1}{2}$ NW $\frac{1}{2}$	" "
20	" " N $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$	" "
10	" " N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$	" "
20	" " N $\frac{1}{2}$ NW $\frac{1}{2}$ Sec 3	T 7 S R 40 E
10	" " SE $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{2}$	" "
40	" " NE $\frac{1}{2}$ NW $\frac{1}{2}$	" "
40	" " NW $\frac{1}{2}$ NE $\frac{1}{2}$	" "
40	" " NE $\frac{1}{2}$ NE $\frac{1}{2}$	" "
20	" " E $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$	" "
40	" " SE $\frac{1}{2}$ NW $\frac{1}{2}$	" "
40	" " SW $\frac{1}{2}$ NE $\frac{1}{2}$	" "
40	" " SE $\frac{1}{2}$ NE $\frac{1}{2}$	" "
10	" " E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$	" "
40	" " NW $\frac{1}{2}$ SE $\frac{1}{2}$	" "
40	" " NE $\frac{1}{2}$ SE $\frac{1}{2}$	" "
10	" " E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$	" "
40	" " SW $\frac{1}{2}$ SE $\frac{1}{2}$	" "
40	" " SE $\frac{1}{2}$ SE $\frac{1}{2}$	" "

(2)

~ Proposed place of Use ~

10	acres in the E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 10	T 7 S	R 40 E
20	" " E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	" "	" "
40	" " NE $\frac{1}{4}$ NE $\frac{1}{4}$	" "	" "
40	" " NW $\frac{1}{4}$ NW $\frac{1}{4}$	" 11	T 7 S R 40 E
10	" " E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	" 10	T 7 S R 40 E
20	" " E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	" "	" "
40	" " SE $\frac{1}{4}$ NE $\frac{1}{4}$	" "	" "
(2695 acres)	40	" " SW $\frac{1}{4}$ NW $\frac{1}{4}$	" 11 T 7 S R 40 E
	40	" " NW $\frac{1}{4}$ SW $\frac{1}{4}$	" " " "
	40	" " SW $\frac{1}{4}$ SW $\frac{1}{4}$	" " " "
	10	" " E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	" 10 T 7 S R 40 E
	40	" " NE $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "
	10	" " E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "
	40	" " SE $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "
	10	" " E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	" 15 T 7 S R 40 E
	40	" " NE $\frac{1}{4}$ NE $\frac{1}{4}$	" " " "
	10	" " E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	" " " "
	20	" " E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	" " " "
	40	" " SE $\frac{1}{4}$ NE $\frac{1}{4}$	" " " "
	20	" " S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	" " " "
	40	" " NW $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "
	40	" " NE $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "
	40	" " SE $\frac{1}{4}$ SW $\frac{1}{4}$	" " " "
	40	" " SW $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "
	40	" " NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec 14 T 7 S R 40 E
	40	" " SW $\frac{1}{4}$ NW $\frac{1}{4}$	" " " "
	40	" " NW $\frac{1}{4}$ SW $\frac{1}{4}$	" " " "

3295 Acres